

Case 1:21-cv-00128-MAC-CLS Document 25 Filed 05/23/22 Page 1 of 2 PageID #: 212

EASTERN DISTRICT OF TEXAS

TAMMY PETERSEN
and JANETTE PETERSEN,

Plaintiffs,

versus

ALLSTATE VEHICLE AND
PROPERTY INSURANCE CO.,

Defendant.

CIVIL ACTION NO.1:21 -CV-128

**MEMORANDUM AND ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Plaintiffs Tammy and Janette Petersen brought this lawsuit against Defendant Allstate Vehicle and Property Insurance Company in connection with Hurricanes Laura and Delta windstorm damage to their home. The court referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge issued a Report and Recommendation in which she recommended that Defendant's Motion to Dismiss be conditionally denied and Plaintiffs be ordered to replead and file their first amended complaint within seven days of this order adopting.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings and all available evidence. To date, the parties have not filed objections to the report.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is ADOPTED. Plaintiffs shall replead and file their first amended complaint within seven days of this Order. Should Plaintiffs fail to replead, the court may grant Defendants' motion to dismiss.

SIGNED at Beaumont, Texas, this 23rd day of May, 2022.

A handwritten signature in cursive script, reading "Marcia A. Crone".

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE